

## REMARKS

### **I. Notice of Assignment**

The present application has been assigned to Trading Technologies International, Inc. A Power of Attorney by Assignee of Entire Interest (Revocation of Prior Powers), appointing the undersigned, among others, was previously submitted on December 31, 2003. A copy of the previously submitted Power of Attorney is attached hereto. The assignee expressly disclaims, does not rely upon, and asks that the Examiner disregard all previous arguments, statements and/or remarks relating to the patentability of the claimed subject matter.

### **II. Substantive Response to the Pending Office Action**

In the Office Action of July 30, 2003, the Examiner rejected claims 1 through 33 under 35 U.S.C. § 103 as being unpatentable over Yahoo! Finance (1995) in view of Nelson (US Patent No. 4,823,265) and further in view of Niebor et al. (US Patent No. 6,418,419). In addition, the Examiner rejected claims 28 through 30 under 35 U.S.C. § 101 as lacking utility. Applicants traverse the rejections and request reconsideration.

In order to expedite consideration of one of the aspects of the invention, claims 1 through 21 and 23 through 33 are cancelled in this response without prejudice to their presentation in one or more continuing applications. Applicant's cancellation of these claims is not to be regarded in any way as acquiescence or agreement with the rejections, which, as noted above, are traversed. Claim 22 has been amended to clarify the subject matter that applicant seeks to be patented in the present application.

#### **A. Response to § 103 Rejection**

The Examiner rejected claim 22 under 35 U.S.C. § 103 as being unpatentable over Yahoo! Finance (1995) in view of Nelson (US Patent No. 4,823,265) and further in view of Niebor et al. (US Patent No. 6,418,419). Because none of the references, whether taken alone or in combination, shows or suggests the invention as claimed, Yahoo! Finance (1995) in view of Nelson and further in view of Niebor et al. fail to render obvious the subject matter of claim 22.

Yahoo! Finance (1995) shows a table listing market information for fourteen goods, in this case seven call option contracts and seven put option contracts for Sun Microsystems. The seven call option contracts are listed in rows on the left-hand side of the table, each contract being presented on a different row, and the seven put option contracts are listed in rows in the same manner of the right-hand side of the table.

Nelson shows a renewable option accounting and marketing system. Nelson includes a system and method for processing transactions in renewable options in stocks or other securities. The system provides a means for entry of customer data and renewable option transaction data. Nelson shows a number of block diagrams representing data files for, e.g., client data (FIG. 3), transaction-by-transaction renewable option records (FIG. 4a), customer current account status records (FIG. 4b), and renewable options offer records (FIG. 4c, 4d). Nelson also shows flow charts (e.g., FIG. 6) representing the steps followed by the system.

Niebor et al. show an automated system for conditional order transactions in securities or other items. The system described includes methods by which the system will sort and display the information available on orders. In the system, each subscriber can view an order book in different ways or input orders to the system using screen or form views that are “intuitively different but logically identical, i.e., which present the same substance in different formats.”

None of these references, however, show or suggest the invention as claimed. Specifically, none of the references shows or suggests a method that includes displaying a plurality of book axes in relation to a value axis, and displaying indicators representing at least one order in locations along the book axes corresponding to the value axis. In particular, none of the cited references shows or suggests “displaying a value axis in relation to [a] plurality of book axes” where “each book axis represent[s] a book for a corresponding one of [a] plurality of goods,” as recited in claim 22. Nor do any of the cited references show or suggest “displaying indicators representing at least one order . . . wherein the indicators are displayed in locations along the book axes corresponding to the value axis,” as recited in claim 22.

Because the cited references fail to show or suggest each element of the claimed invention, the claimed subject matter is not rendered obvious by Yahoo! Finance (1995) in view of Nelson and further in view of Niebor et al.

### III. New claims

New claims 34 through 91 have been added. Support for the new claims may be found throughout the original application, including but not limited to Figures 12 and 13 and their accompanying textual matter. No new matter has been added

### IV. Conclusion

In light of the foregoing remarks, applicant submits that the application is now in condition for allowance and notice to that effect is hereby requested. If the Examiner believes that further dialog would expedite consideration of the application, he is invited to contact the undersigned at (312) 913-0001 or the applicant's Vice President Intellectual Property, Steven F. Borsand, at (312) 476-1018.

Respectfully submitted,

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